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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/311,720 05/14/99 GLENN

G PM254809

EXAMINER

HM12/1005

EWOLDT, G

PILLSBURY MADISON & SUTRO
INTELLECTUAL PROPERTY GROUP
1600 TYSONS BOULEVARD
MCLEAN VA 22102

ART UNIT

PAPER NUMBER

1644

DATE MAILED:

10/05/01

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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09/31/720

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Please find below a communication from the EXAMINER in charge of this application


Commissioner of Patents

The reply filed on 7/10/01 is not fully responsive to the species election requirement, mailed 3/14/01, for the following reason. In response to the restriction requirement, mailed 9/13/00, Applicant elected Group III, drawn to a formulation, without traverse. Subsequently the additional species election was required. Applicant responded to said species requirement by electing Group II, drawn to methods of nucleic acid immunization. Said response is improper. Should Applicant desire to submit an application in which methods of DNA would be examined, the proper format would be for Applicant to file a divisional application.

The period for reply set forth in the prior Office action has expired. Applicant is therefore give **ONE MONTH** to correct the deficiency of this Application or the Application will become abandoned. A **fully responsive** reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication should be directed to Dr. Gerald Ewoldt whose telephone number is (703) 308-9805.

G.R. Ewoldt, Ph.D.
Patent Examiner
Tech Center 1600
October 2, 2001


Patrick J. Nolan, Ph.D.
Primary Examiner
Tech Center 1600